



Terlingua Common School District

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Received & Inspected

MAR 10 2011

FCC Mail Room

February 25, 2011

Request for Review / Letter of Appeal

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Subject: **Request for Review** of a **Letter of Appeal** for 471 Application 693424, FRN 1903930,
Administrative and Clerical Correction Request.

CC Docket No. 02-6 and CC Docket No. 96-45

To Whom It May Concern:

Appellant/Organization Name: Terlingua Common School District
Applicant Billed Entity Number: 142107

Contact Information:

Contact Person: Ted Arbogast
Contact Title: Technology Coordinator
Contact Address: 550 Roadrunner Circle, Terlingua, TX 79852
Contact Telephone Number: 432-371-2281
Contact Fax Number: 432-371-2245
Contact E-Mail Address: arbogast@terlinguacsd.com

USAC Action that we are Appealing:

Due to a clerical error on my part, the service provider who recabled our Elementary campus has been denied the last portion of payment for services rendered, in the amount of \$21,529.60. I was not made aware of the problem until last month.

I am writing this **Request for Review** of a **Letter of Appeal** for 471 Application # 693424, FRN 1903930, in order to correct this **administrative and clerical issue** and allow for final payment for services rendered for **Internal Connections**.

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List A B C D E

This Letter of Appeal was submitted January 21, 2011 to change the approved amount from 23a. and 23c. Monthly Charges: \$7,168.17 and 23e \$86,018.04 to 23f. Annual non-recurring (one-time) charges: \$86,018.04 and 23h to 86,018.04. USAC has denied my appeal, due to exceeding the 60 day appeal time frame, and they suggested I appeal to you.

I had inadvertently submitted the Form 471 eligible pre-discount amount as a monthly recurring charge in the amount of \$7,168.17. The service requested was "Internal Connections" and therefore, should have been submitted as an Annual non-recurring (one-time) charge.

Our vendor submitted a Service Provider Invoice for the remaining funds due our vendor in the amount of \$21,529.60. The Invoice was **denied** due to the fact the invoice was dated September 28, 2010. The 471 lines 23a-23e were input as monthly recurring rather than 23f-23h one-time non-recurring. Because the SLD system is showing this 471 as monthly recurring, the SLD system is keyed so no invoices after 6/30/10 will be paid. Our vendor found this out by calling the SLD help line after an invoice was automatically kicked out and rejected. They researched the problem and called back after a couple of days with the issue identified. Case #22-143708.

I am attaching the letter of appeal to USAC and the original Item 21 that documents that the amount requested should have been inputted as a one-time non-recurring charge. These products and services are clearly Internal Connections for Cabling and Network Electronics, not Basic Maintenance.

Therefore, I respectfully request the above mentioned change to enable the system to allow us to re-invoice the remaining approved dollars for eligible services rendered.

Please call or e-mail me if you have any questions regarding this appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Arbogast", with a stylized flourish at the end.

Ted Arbogast
Technology Coordinator
Terlingua Common School District
arbogast@terlinguacsd.com

January 20, 2011

Letter of Appeal
Schools and Libraries Division-Correspondence Unit
30 Lanidex Plaza West
P.O. Box 685
Parsippany, NJ 07981

Subject: **Letter of Appeal** for 471 Application 693424, FRN 1903930, Administrative and Clerical Correction Request.

To Whom It May Concern:

Appellant/Organization Name: Terlingua Common School District
Applicant Billed Entity Number: 142107

Contact Information:

Contact Person: Ted Arbogast
Contact Title: Technology Coordinator
Contact Address: 2281 Roadrunner Circle, Terlingua, TX 79852
Contact Telephone Number: 432-371-2281
Contact Fax Number: 432-371-2245
Contact E-Mail Address: arbogast@terlinguacsd.com

USAC Action that we are Appealing:

I am writing this **Letter of Appeal** for 471 Application # 693424, FRN 1903930, in order to correct an **administrative and clerical issue** and allow for final payment for services rendered for **Internal Connections**.

This Letter of Appeal is being submitted to **change the approved amount from 23a. and 23c. Monthly Charges: \$7,168.17 and 23e \$86,018.04 to 23f. Annual non-recurring (one-time) charges: \$86,018.04 and 23h to 86,018.04.**

I had inadvertently submitted the Form 471 eligible pre-discount amount as a **monthly charge** in the amount of \$7,168.17. The service requested was "Internal Connections" and therefore, should have been submitted as an **Annual non-recurring (one-time) charge**.

Reason: Our vendor submitted a Service Provider Invoice for the remaining funds due our vendor in the amount of \$21,529.60. The Invoice was denied due to the fact the invoice was dated September 28, 2010. The 471 lines 23a-23e were input as monthly recurring rather than 23f-23h one-time non-recurring. Because the SLD system is showing this 471 as monthly recurring, the SLD system is keyed so no invoices after 6/30/10 will be paid. Our vendor found this out by calling the SLD help line after an invoice was automatically kicked out and rejected. They researched the problem and called back after a couple of days with the issue identified. Case #22-143708.

I have attached the original Item 21 that documents that the amount requested should have been inputted as a one-time non-recurring charge. These products and services are clearly Internal Connections for Cabling and Network Electronics, not Basic Maintenance.

Therefore, I respectfully request the above mentioned change to enable the system to allow us to re-invoice the remaining approved dollars for eligible services rendered.

Please call or e-mail me if you have any questions regarding this appeal.

Sincerely,

Ted Arbogast
Technology Coordinator
Terlingua Consolidated School District
arbogast@terlinguacsd.com



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

January 25, 2011

Ted Arbogast
Terlingua Common School Dist
2281 Roadrunner Circle
Terlingua, TX 79852

Re: Applicant Name: TERLINGUA COMMON SCHOOL DIST
Billed Entity Number: 142107
Form 471 Application Number: 693424
Funding Request Number(s): 1903930
Decision Letter Date: December 02, 2009
Date Appeal Postmarked: January 21, 2011
Your Correspondence Dated: January 20, 2011

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company